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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,926	04/15/2005	Shane Robert Crockett	0184-0162PUS1	6808
2292 7590 08/06/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER DAVIS, JEFFERY T				
ART UNIT 4156		PAPER NUMBER		
NOTIFICATION DATE 08/06/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/507,926

**Applicant(s)**

CROCKETT ET AL.

**Examiner**

JEFFERY DAVIS

**Art Unit**

4156

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :05/21/2007, 01/16/2007, 12/08/2006, 09/17/2004 .

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. The claim is vague and indefinite so as to preclude application of prior art in a rejection.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:  
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-4, 6-8 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication Number 2002/0091535 A1 to Kendall et al., in view of U.S. Patent Application Publication Number 2005/0261945 A1 Mougín et al., and further in view of US Patent Number 7,058,897 B2 to Matsuda.
5. As to claim 1, Kendall teaches the invention substantially as claimed, including in a system to facilitate bookings:  
at least one business centre (Para. 46, Line 11; interpreted as a kiosk), each said at least one business centre having at least one product available for booking, wherein each said at least one business centre includes a first processing means for receiving and making (Para. 46, Line 24), bookings (Para. 44, Line 10), of said at least one product from at least one agent or customer; and a central data centre (Para. 44, Line 10), including a second processing means for receiving and making bookings of said at least one product from said at least one agent or customer or at

least one other agent of customer. Kendall does not specifically teach synchronisation of booking information. Matsuda teaches a system to facilitate bookings: wherein at one or more predetermined periods of actions first and second processing means (Col. 1, Para. 7, Line 1) are applied. Mougin teaches a system to facilitate bookings: wherein synchronized occurs (Para. 74, Line 6), so that booking information in said first and second processing means is the same. It would have been obvious to one of ordinary skill in the hotel and computer arts at the time of the invention to modify Kendall with Mougin and Matsuda to facilitate bookings.

6. As to claim 2, Mougin teaches a system as claimed in claim 1 wherein synchronization occurs after each booking (Para. 74, Line 6).

7. As to claim 3, Kendall in view of Mougin teaches a system as claimed in claim 1 or claim 2 wherein an operator can initiate synchronization (Mougin, Para. 74, Line 6; by looking up database 20 with appropriate processing and storage means 23. Such looking up could enable the operator to synchronise.

8. As to claim 4, Kendall (per the Abstract, Line 11, the system is capable of determining a suitable vacation destination and accommodation for the consumer; and Para. 14, Line 6, optional accommodations meeting the needs and wants of the consumer), in view of Mougin (Mougin, Para. 77, Line 6; the central reservation unit in order to maintain database 20 and offer an improved service to the users), teaches a system and method for selecting a vacation destination and accommodation, as claimed in claim 1 wherein said business centre offers accommodation.

9. As to Claim 6, Kendall in view of Mougin teaches a system as claimed in claim 1 wherein said business centre is a tour operator (Mougin, Para. 46, Line 23; interpreted as a kiosk); the system may also be implemented in another interactive medium, for example, an in-travel agency kiosk, (tour operator is interpreted as a kiosk).

10. As to Claim 7, Kendall in view of Mougin teaches a system as claimed in claim 6 wherein said product includes tours (Kendall, Para. 31, Line 5; the front end module additionally requests the consumer to provide at 124 an indication of the general type of vacation that the consumer is seeking, e.g., cruise,...exploration tour), available from said tour operator (Mougin, Para. 46, Line 23, interpreted as a kiosk).

Art Unit: 4194

11. As to claim 8, Kendall in view of Mougin and further in view of Matsuda teaches a system as claimed in claim 1 wherein said synchronization includes: first and second processing means identifying any values that have changed since a previous synchronization; and said first processing means forwarding any said changed values to said second processing means, and said second processing means forwarding any said changed values to said first processing means. (Matsuda, Col. 1, Para. 7, Line 1). It would have been obvious to one of ordinary skill in the hotel and computer arts at the time of the invention to modify Kendall with Mougin and Matsuda to provide synchronization and facilitate bookings.

12. As to claim 10, Kendall in view of Mougin teaches a system as claimed in claim 1 wherein said first and second processing means both include a common user interface (Kendall, Para. 43, Line 15, interpreted as an interactive selection process; Page 5, Item 1, Line 2 and Page 5, Item 2, Line 2; wherein said user interface are HTML files).

13. As to claim 11, Kendall teaches a system as claimed in claim 1 wherein modifications to booking conditions are made, (Kendall, Page 5, Item 10, Line 2; means for editing selected criteria such that the computer presents modified recommendations). Kendall does not specifically disclose synchronization. Matsuda discloses synchronization to said second processing means and then synchronized. Mougin discloses synchronization (Matsuda, Para. 62, Line 3; Such looking up could enable the operator to synchronise (refresh at an appropriate rate) and adjust the capacity) to said first processing means. It would have been obvious to one of ordinary skill in computer arts at the time of the invention to modify Kendall with Mougin and Matsuda to provide modification and synchronization to facilitate bookings.

14. As to claim 12, Kendall teaches a business centre booking system (Kendall, Para. 46, Line 11; interpreted as a kiosk). Mougin teaches, including: a first processing means (Mougin, Para. 43, Line 11), to receive and make bookings of at least one product available from said business centre and a synchronization means (Mougin, Para. 62, Line 3). Kendall teaches a communication means to receive bookings made via an external server of said at least one product; (Kendall, Para. 22, Line 10, The central computer 12 is in communication with one or more user terminals 18 (e.g., home computers) via the internet or other computer network. That is, the central computer is preferably a server 12, and the terminals 18 are preferably nodes on

the network). It would have been obvious to one of ordinary skill in hotel and computer arts at the time of the invention to modify Kendall with Mougin and Matsuda to facilitate bookings.

15. As to claim 13, Matsuda teaches a first and second processing means for receiving and making bookings, of at least one product available from at least one business centre; (Matsuda, Col. 1, Para. 7, Line 1). Kendall teaches a communication means (Kendall, Para. 22, Line 10). Kendall does not specifically disclose synchronization. Mougin teaches a system to enable said bookings to be synchronised with a first processing means of said at least one business centre (Mougin, Para. 62, Line 3). It would have been obvious to one of ordinary skill in hotel and computer arts at the time of the invention to modify Kendall with Mougin and Matsuda to facilitate bookings.

16. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kendall in view of Mougin and Matsuda and further in view of Cornelius.

17. As to claim 5, Kendall discloses the invention substantially as claimed. See the discussion of claim 4. Kendall does not specifically disclose that rooms are available at a business center. Cornelius discloses available rooms at a business center (Cornelius, Col. 74, Line 39). It would have been obvious to modify Kendall in view of Cornelius to facilitate bookings.

18. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kendall in view of Mougin and Matsuda and Cornelius and further in view of Sprenger.

19. As to claim 9, Kendall discloses the invention substantially as claimed. Kendall does not specifically disclose a double booking alert. Sprenger discloses such a double booking feature (Sprenger, Para. 240, Line 5). Cornelius discloses an alert feature (Cornelius, Col. 2, Line 58-Col. 25, Line 2). It would have been obvious to modify Kendall with the double booking of Sprenger and the alert of Cornelius, to facilitate bookings.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 4194

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFERY DAVIS whose telephone number is (571)270-7049. The examiner can normally be reached from 7:30 AM - 5:00 PM EST; M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Kyle can be reached on (571)272-6746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JEFFERY DAVIS/

Examiner, Art Unit 4156

7/31/2008

/Charles R. Kyle/

Supervisory Patent Examiner, Art Unit 4156